

General information on town and country planning, including neighbourhood planning, to ensure voters have sufficient knowledge to make an informed decision.

On 27 June 2019 residents in Ellistown & Battleflat will have the opportunity to vote in a referendum on the published proposal for their Neighbourhood Plan – the Ellistown & Battleflat Neighbourhood Plan.

Information is set out below about the planning system and neighbourhood plans and also explains the referendum that is going to take place and how you can take part in it.

The Planning System

The purpose of the planning system is to manage the use and development of land and buildings. It is how we as a society strike a balance between allowing development to support economic development, and provide the things we need (like homes jobs, shops and transport) and improving and conserving public spaces, heritage, amenities, and the environment, and help to tackle climate change.

The planning system has two main parts to it:

- Plan-making – setting out a plan for how an area will develop over time as a guide to future development
- Managing development – when development is agreed through planning permission

North West Leicestershire District Council, as the local planning authority, is responsible for deciding whether a development - anything from an extension on a house to a new shopping centre - should go ahead within the District. Planning involves making decisions about the future of our town, villages and countryside and considering the sustainable needs of future communities.

Decisions on planning applications must be determined in accordance with the development plan for the local authority area, in this case North West Leicestershire, unless material considerations indicate otherwise. This development plan can comprise a number of documents including local plans, mineral and waste plans, and neighbourhood plans approved at referendum. All such documents are required to be prepared in consultation with the local community and reflect national policy as set out in the national planning policy and guidance.

National Planning Policy Framework

The National Planning Policy Framework (or Framework) was published on 24 July 2018 and updated on 19 February 2019. It sets out the Government's planning policies for England and how these are expected to be taken into account by communities when preparing neighbourhood plans and by local councils when drawing up local plans and making decisions on planning applications. At the heart of the Framework is a presumption in favour of sustainable development and this has to be reflected in plans, both at a district level and a neighbourhood level.

Local Plans

Local planning authorities, such as North West Leicestershire District Council, must prepare a local plan for their area which sets out the opportunities for development and provide clear policies on what will or will not be permitted and where. They must be positively prepared, justified, effective and consistent with the Framework.

The North West Leicestershire Local Plan 2011- 2031, adopted November 2017, provides the current planning policies for the district. It sets out the vision and objectives for the District, how much development is required and where it should be located, along with policies to protect the natural and built environment. The policies set out in this plan will be used for decision making purposes (along with national planning guidance and any relevant neighbourhood plans). Additional information about the Local Plan is available at: www.nwleics.gov.uk/local_plan

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act to give members of the community a more hands on role in the planning of their neighbourhoods. The Neighbourhood Plan is a community prepared plan which enables local people to guide the future of the area they live and work and provides an opportunity to play a direct role in the planning of their area.

Neighbourhood Plans are prepared by Town or Parish Councils or neighbourhood forums (community groups that are designated to take forward neighbourhood planning in areas without a parish or town council) and can be used to establish planning policies for the development and use of land within a specific neighbourhood area.

There are a number of key stages in the production of a neighbourhood plan and these can be summarised as:

1. Designating a neighbourhood area
2. Preparing a draft neighbourhood plan
3. Pre-submission publicity and consultation
4. Submission of a neighbourhood plan to the local planning authority
5. Independent examination
6. Referendum
7. Bringing the neighbourhood plan into force

In addition, legislation also sets out that neighbourhood plans have to meet a number of 'Basic Conditions' to ensure they are legally compliant and take account of wider policy considerations.

The Basic Conditions are that the Plan must:

- have regard to national planning policy and advice contained in guidance issued by the Secretary of State (e.g. National Planning Policy Framework);
- contribute to the achievement of sustainable development;
- be in general conformity with strategic policies in the development plan for the local area (i.e. Local Plan); and

- be compatible with EU obligations and human rights requirements.

Once drafted, a neighbourhood plan is required to undergo an independent examination as identified above. The appointed independent examiner will review the plan, check that it meets the basis conditions and identifies whether any modifications should be made to the plan. Following the examination, the examiner will issue a report that is likely to include one of the following recommendations:

- That the draft Neighbourhood Plan should proceed to referendum.
- That the draft Neighbourhood Plan should proceed to referendum, subject to certain amendments.
- That the draft Neighbourhood Plan should not proceed.

Ellistown & Battleflat Neighbourhood Plan

The Ellistown & Battleflat Neighbourhood Plan has been produced by Ellistown & Battleflat Parish Council in consultation with the local community throughout its preparation. A number of consultations stage were undertaken. Following the launch of the Neighbourhood Plan, consultation on the draft policies was held in February 2015. Consultation on the pre-submission version of the plan followed in August – September 2017.

In September 2018, Ellistown & Battleflat Parish Council submitted the Examination Version of the Plan to the District Council. It underwent a period of consultation from 27 September 2018 to 8 November 2018 which was followed by an Independent Examination. As part of this process the appointed Independent Examiner, Mr Andrew Mead decided a Public Hearing into the Neighbourhood Plan was not required.

North West Leicestershire District Council received the final Examiner's Report into the Neighbourhood Plan on 28 March 2019. In his report the Examiner concludes that the Plan, subject to some specified modifications, should proceed to a Referendum based on the Ellistown & Battleflat Neighbourhood Area.

The Neighbourhood Plan has been modified in accordance with the Examiner's recommendations and it is now ready to be taken to referendum.

North West Leicestershire consider that the neighbourhood plan document accords with the neighbourhood planning regulations, and that it is in general conformity with the strategic policies in the Development Plan as per (Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011)

The Referendum

The modified version of the Plan is now the subject of a Referendum which is to be held on 27 June 2019. The referendum will be conducted in accordance with procedures which are similar to those used at local government elections.

If the Plan receives a 'Yes' from more than 50% of those voting, the Ellistown & Battleflat Neighbourhood Plan will be 'made' (or brought into effect) by North West Leicestershire District Council as soon as possible. This means it becomes part of the Development Plan and, as such,

together with the adopted Local Plan will be the starting point for the determination of planning applications within the Ellistown & Battleflat Neighbourhood Plan Area.

Information in relation to neighbourhood planning is available on the following website:

www.gov.uk/neighbourhood-planning

Information in relation to the Ellistown & Battleflat Neighbourhood Plan is available on the following websites:

www.nwleics.gov.uk/ellistown_neighbourhood_plan

www.ellistown.org.uk/neighbourhood-plan.html